

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

CAROLINE H. SHRYOCK and GAYLE L.
LEWIS as Trustees of THE CAROLINE H.
SHRYOCK LIVING TRUST,

Plaintiffs,

v.

Case No. 1:16-CV-00819 SCY/KK

PHL VARIABLE INSURANCE
COMPANY; DIAMOND & ASSOCIATES
RETIREMENT PLANNING SERVICES,
INC.; and MARK STEPHEN DIAMOND,

Defendants.

NOTICE OF INTENT TO ISSUE SUBPOENA FOR PRODUCTION OF DOCUMENTS

Pursuant to Fed. R. Civ. P. 45(a)(4), Defendants Diamond Retirement Planning Services, Inc. and Mark Stephen Diamond give notice that they intend to issue and serve the attached subpoena requiring the production of documents and electronically stored information.

DATED: February 23, 2017

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Jared L. Sutton

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Planning Services, Inc., and Mark Stephen
Diamond

CERTIFICATE OF SERVICE

I certify that on February 23, 2017, I electronically transmitted the attached document to the Office of the Clerk of the U.S. District Court using the CM/ECF System which will send notification of such filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants for this case, including:

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By /s/ Jared L. Sutton